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C O N F I D E N T I A L SECTION 01 OF 02 BOGOTA 011686

SIPDIS

E.O. 12958: DECL: 12/14/2015

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SUBJECT: DIPLOMATIC NOTE REGARDING GOC RESPONSE TO ORLANDO VALENCIA HUMAN RIGHTS CASE

REF: BOGOTA 10565

Classified By: Jeffrey De Laurentis. Reasons: 1.4(b) and (d).

¶1. (C) On December 12, 2005, the Ministry of Foreign Relations sent a diplomatic note to the Embassy regarding a November 22 meeting between Ambassador Wood and Foreign Minister Carolina Barco on the subject of murdered Afro-Colombian leader Orlando Valencia (copy faxed to WHA/AND). As reported reftel, Mr. Valencia was an Afro-Colombian leader who was abducted on October 15 and whose body was found on October 24. The Ambassador has raised the case with senior GOC officials and urged a quick, transparent, and thorough investigation that leads to the conviction of the perpetrators.

¶2. (C) Begin informal Embassy translation of Diplomatic Note:

The Ministry of Foreign Relations sends its salutations to the Embassy of the United States of America and refers to a meeting held between Ambassador William Braucher Wood and the Minister of Foreign Relations this past November, in which the two discussed, among other topics, the death of Orlando Valencia.

The International Affairs Section of the Prosecutor General's office has provided this Ministry with the following response:

"With respect to the case of Orlando Valencia, we understand that a special attorney from the Prosecutor General's Human Rights and International Humanitarian Law Unit triggered an urgent search.

In addition, the Prosecutor General's Apartado office opened an investigation into the kidnapping of Orlando Valencia and the Prosecutor General's Chigorodo office opened an investigation into the murder of Mr. Valencia.

Furthermore, the International Affairs Section has requested that the director of the Human Rights and International Humanitarian Law Unit reassign the case to that unit. Once we receive a response to this request, we will duly inform your office."

In addition, the Presidential Program for Human Rights has also provided this Ministry with the following information regarding the judicial, administrative, and practical procedures involved with this case:

"The Presidential Program of Human Rights and International Humanitarian Law communicated with the Regional Coordinator of the Project for Communities at Risk, which is the permanent liaison of the Ministry of Interior and Justice in this zone, to provide notice of the event and to demand that all competent authorities verify the event and take all necessary actions.

We have also been in contact with the National Police, who have stated that the persons (On October 15, 2005, 10 persons belonging to the JIGUAMIANDO y CURBARADO families, beneficiaries of Provisional Measures, as well as two associates, a lawyer from Justice and Peace and a Canadian citizen, were approached by national police officers) had not been arrested, but that the national police had been conducting routine checks in the city of Belen de Bajira.

The Human Rights Ombudsman, Daniel Antonio Sastogue Coron, also was aware of the events and ordered defensive actions.

The Ministry of the Interior and the Human Rights Ombudsman activated an urgent search, which involved investigative and oversight agencies, as well as the executive branch.

This urgent search, in which the Technical Investigative Unit, the Department of Administrative Security, the Prosecutor General's office, the National Police, the military, and departmental authorities participated, uncovered a corpse of afro descent in Rio Leon, Bocas de Zabalo, some 30 minutes from Chigorodo. Medical exams were conducted on the body. The Prosecutor General's office reported via telephone that 75 percent of the cadaver could be identified as being Orlando Valencia, and that body was found with clothes Valencia was wearing the day he disappeared. In addition, a religious associate identified the body as Orlando Valencia, by his build and clothing. We

are still awaiting results from a postmortem digital skin examination, a dental examination, and a bone DNA test in order to achieve 100 percent identification of the body."

According to information provided by the Inspector General's office, disciplinary investigations have been opened. Due to the complexity of the case, it was referred to human rights officials in the Office of the Inspector General.  
End informal Embassy translation of Diplomatic Note.

WOOD